

Notice of Allowability	Application No.		Applicant(s)	
	10/772,935		STUMPF ET AL.	
	Examiner		Art Unit	
	Milton Nelson, Jr.		3636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/27/05.
2. ☒ The allowed claim(s) is/are 102-128.
3. ☒ The drawings filed on 05 February 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EA

EXAMINER'S AMENDMENT

An examiner's amendment to correct an obvious error appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

1. In line 5 of claim 117, "frames" has been changed to - - frame - -.
2. In line 1 of paragraph 1 on page 1 of the specification, as presented in Applicant's preliminary amendment of February 5, 2004, insert - - now U.S. Patent No. 6,722,741,- - after "10/256,671,".
3. In line 2 of paragraph 1 on page 1 of the specification, as presented in Applicant's preliminary amendment of February 5, 2004, insert - - now U.S. Patent No. 6,588,842,- - after "09/859,694,".
4. In line 3 of paragraph 1 on page 1 of the specification, as presented in Applicant's preliminary amendment of February 5, 2004, insert - - now U.S. Patent No. 6,386,634,- - after "08/347,475,".
5. In line 5 of paragraph 1 on page 1 of the specification, as presented in Applicant's preliminary amendment of February 5, 2004, insert - - now abandoned,- - after "07/898,907,".

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Claims 102-128 are allowed.

The following is an examiner's statement of reasons for allowance: Regarding claim 102, the prior art of record fails to show a chair including a back support comprising an upwardly extending upright portion and a link portion extending forwardly from a lower portion of the upright portion, wherein the link portion is pivotally connected to the control housing about a first pivot axis, and wherein the seat is connected to the link portion and is pivotable relative thereto; and a linkage coupled to the seat and pivotally connected to the control housing at a second pivot axis positioned rearwardly and downwardly from the first pivot axis, in combination with other specifically claimed features. Regarding claim 117, the prior art of record fails to show a chair including a back support comprising a pair of link portions pivotally connected to the control housing about a first pivot axis, wherein the side frame elements of the seat are connected respectively to the pair of link portions and are pivotable about a second pivot axis positioned rearwardly of the first pivot axis; and a pair of link members coupled to the frame and pivotally coupled to the control housing about a third pivot axis positioned rearwardly and downwardly from the first pivot axis, wherein each of the pair of link members extends upwardly and rearwardly from the third pivot axis, in combination with other specifically claimed features.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

The information referred to in the information disclosure statements filed November 29, 2004 and January 27, 2005 have been considered.

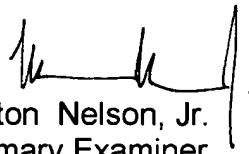
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. EP (0105955) shows a chair with a tilting backrest assembly.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Milton Nelson, Jr. whose telephone number is 5712726861. The examiner can normally be reached on Monday-Wednesday, and alternate Fridays 5:30-3:00.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Milton Nelson, Jr.
Primary Examiner
Art Unit 3636

mn
May 13, 2005